

NEUFELD SCHECK & BRUSTIN, LLP

99 Hudson Street
New York, New York 10013

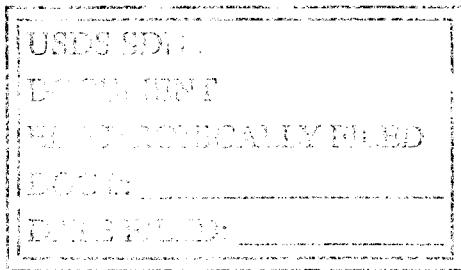
Tel: 212-965-9081

Fax: 212-965-9084

Peter J. Neufeld
Barry C. Scheck
Nick Brustein
Debi Cornwall

Anna Benvenutti Hoffmann
Emma Freudenberg
Chloe Cockburn
Sandy Henderson
Vanessa Buch

Johnnie L. Cochran, Jr.
(1937-2005)



July 12, 2012

Via Express Mail

Honorable Kenneth M. Karas
United States District Judge
Southern District of New York
United States Courthouse
300 Quarropas Street, Chambers 533
White Plains, NY 10601

RE: *Deskovic v. City of Peekskill, et al., 07-CV-8150 (KMK)(GAY)*
McGarr v. City of Peekskill, et al., 07-CV-9488(KMK)(GAY)

Dear Judge Karas:

I write on behalf of Plaintiff Jeffrey Deskovic in response to the July 12, 2012, letter by Lalit Loomba for Defendants Peekskill, Levine and McIntyre, in which Mr. Loomba represents that Plaintiff has refused to provide authorizations giving permission for more than two dozen medical professionals to discuss his medical condition in 1990 with defense counsel. For the reasons stated below, we respectfully request that the Court permit Plaintiff to submit a substantive response to Mr. Loomba's letter two weeks after Plaintiff's summary judgment opposition is due.

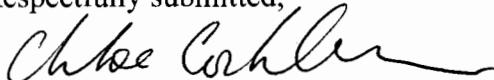
Mr. Loomba's representations of Plaintiff's position are inaccurate and Plaintiff would like to present a substantive response to the Court. As Mr. Loomba is aware, we have repeatedly requested that Defendants hold their request in abeyance until after Plaintiff's opposition to Peekskill's summary judgment motion is submitted; the due date for Plaintiff's opposition is August 17. Mr. Loomba has given no explanation for why this discovery request, which could have been made years ago, is so time sensitive that it merits diversion from summary judgment preparation.

Plaintiff has recently devoted considerable time to responding to document requests by Mr. Loomba, which included requests to re-send thousands of pages of discovery that had

previously been sent to Peekskill's counsel or were previously produced by Peekskill. As a courtesy, Plaintiff provided these duplicate discovery productions in a timely fashion, even though this diverted attention from responding to Defendants' summary judgment motion.

In light of Plaintiff's recent efforts to cooperate with Peekskill on discovery matters and the considerable resources required to complete Plaintiff's opposition to Peekskill's summary judgment motion and prepare for the Stephens summary judgment argument before your Honor on August 2, we respectfully request that the Court permit Plaintiff to submit a substantive response to Mr. Loomba's letter two weeks after Plaintiff's summary judgment opposition is due. //

Respectfully submitted,


Chloe Cockburn

cc (via email): James Mitchell: jmitchell@stillmanfriedman.com

Diane L. Houk: dhouk@ecbalaw.com

Deborah Greenberger: Dgreenberger@ecblaw.com

Peter Meisels: peter.meisels@wilsonelser.com

John Flannery: john.flanney@wilsonelser.com

Lalit Loomba: lalit.loomba@wilsonelser.com

Vincent Gelardi: vg@vincentgelardi.com

Robert Delicate: rdelicate@harwoodlloyd.com

Granted.

So ordered.


7/13/12